

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	
)	Civil Action No. 4:25-cv-01584
STEWARD HEALTH CARE SYSTEM,)	
LLC, <i>at al.</i> ,)	Bankruptcy Case No. 24-90213
Debtors. ¹)	

**UNOPPOSED MOTION FOR LEAVE TO FILE AN OPENING BRIEF
CONSISTENT WITH BANKRUPTCY RULE 8015(a)(7).**

Appellants Dr. Manisha Purohit, Dr. Diane Paggioli, Dr. James Thomas, Dr. Thomas Ross, Dr. Michael Regan, Dr. Peter Lydon, Dr. Sridhar Ganda, Dr. A. Ana Beesen, Dr. Benoy Zachariah, Dr. Barry Arkin, Dr. Bruce Kriegel, and Dr. Gary Miller (“**Appellants**”) file their Unopposed Motion for Leave to File an Opening Brief Consistent with Bankruptcy Rule 8015(a)(7) (“**Motion**”) and respectfully state the following:

Preliminary Statement

This Bankruptcy Rules of Procedure governing appeals to the district court allow Appellants to file an opening brief that does not exceed 13,000 words. Fed. R. Bankr. Proc. 8015(a)(7). While it is not clear that they apply given the applicable federal rule, the Court’s chamber procedures require leave to file a brief that exceeds 25-pages, 13-point font. *See* Fed. R. Bankr. Proc. 8015(f) (“A district court . . . must accept documents that

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/Steward>. The Debtors’ service address for these chapter 11 cases is 1900 N. Pearl Street, Suite 2400, Dallas, Texas 75201.

comply with the . . . length limits set by this Part VIII.”). Appellants accordingly respectfully request that the Court allow them to file a brief consistent with the word limits imposed under the Bankruptcy Rules. The parties have conferred, and Appellees do not oppose the relief requested.

Argument

This Court’s Procedures provide that parties must seek leave to file “any motion, brief, or memorandum” more than “25 pages, 13-point type-font, double-spaced, with 1” margins.” Rule 7(A). Part 8 of the Federal Rules of Bankruptcy Procedure provides the rules governing appeals from a bankruptcy court to a district court. Bankruptcy Rule 8015(a)(7) provides:

Length.

(A) *Page Limitation* . A principal brief must not exceed 30 pages, or a reply brief 15 pages, unless it complies with (B).

(B) *Type-Volume Limitation.*

(i) Principal Brief. A principal brief is acceptable if it contains a certificate under (h) and:

- contains no more than 13,000 words; or
- uses a monospaced face and contains no more than 1,300 lines of text.

(ii) Reply Brief. A reply brief is acceptable if it includes a certificate under (h) and contains no more than half the type volume specified in item (i).

This rule is identical to the rule governing the length of briefs in the Federal Rules of Appellate Procedure. *See* Fed. R. App. Proc. 32(a)(7). Accordingly, Appellants

respectfully request leave to file a brief consistent with the page limitations imposed under Bankruptcy Rule 8015(a)(7).

Good cause exists to grant this motion. This appeal arises from a complicated procedural posture and a full trial on the merits. Appellants assert, among other things, that the Bankruptcy Court erred in interpreting ERISA, managed and resolved this dispute in abrogation of Article III of the Constitution, and erred when making certain discovery rulings leading up to trial and when making certain evidentiary rulings at the trial. Because of the importance of the issues this appeal presents, the complicated procedure posture and robust evidentiary record from which this appeal arises, and the demands imposed on appellate briefs that do not exist in ordinary motion practice, Appellants respectfully request that the Court grant the Motion and allow Appellants to file an opening brief of 13,000 words or less, consistent with Bankruptcy Rule 8015(a)(7).

Conclusion

For the reasons stated above, Appellants respectfully request that the Court grant this Motion and enter an order that grants Appellants leave to file an opening appellate brief of 13,000 words or less.

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Dated: June 26, 2025

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CERTIFICATE OF CONFERENCE

I hereby certify that on June 26, 2025, I communicated by email with Clifford Carlson, counsel for the Debtors, regarding the relief requested in the foregoing Motion. Mr. Carlson informed me that they do not oppose the Motion.

/s/ Christopher D. Johnson

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2025, I caused the foregoing pleading to be filed and it was served by the Court's electronic noticing service to all parties registered to receive ECF notice.

/s/ Christopher D. Johnson